#### The Minutes

#### November 25, 2002

C038889 THE PEOPLE v. SHAW

C039253 THE PEOPLE v. PARKER (Not for Publication)

The judgments are affirmed.

KOLKEY, J.

We concur: Scotland, P.J.

Davis, J.

#### C039658 THE PEOPLE v. KELLER (Not for Publication)

The judgment is modified to impose a \$50 criminal laboratory analysis fee, a \$50 state penalty assessment, and a \$35 county penalty assessment. As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections.

CALLAHAN, J.

We concur: Sims, Acting P.J.

Robie, J.

#### C038561 JACKSON v. LODI UNIFIED SCHOOL DISTRICT

(Not for Publication)

The judgment of dismissal is reversed. Each party shall bear their own costs on appeal. (Cal. Rules of Court, rule 26 (a) (1).)

ROBIE, J.

We concur: Callahan, J.

Hull. J.

#### C038613 BORN v. LCM FINANCIAL SERVICES, INC. et al.

(Not for Publication)

The judgment is affirmed. Neither party will recover costs of appeal.

DAVIS, Acting P.J.

We concur: Rave, J.

Callahan, J.

#### C038912 KOHLER v. INTERSTATE BRANDS CORPORATION

(Not for Publication)

The judgment is affirmed. Interstate shall recover its costs on appeal.

(Cal. Rules of Court, rule 26 (a) (1).)

ROBIE, J.

We concur: Callahan, Acting P.J.

Hull, J.

#### The Minutes

#### November 25, 2002

# C041271 In re JEFFREY A. et al.; DEPARTMENT OF HEALTH AND HUMAN SERVICES v. TENA F. (Certified for Publication)

The order terminating parental rights is vacated, and the mater is remanded to the juvenile court with directions to conduct further proceedings to determine whether the "request for verification" that was sent to the tribe contained notice of the proceedings and of the right to intervene in compliance with the ICWA, and whether copies were sent to the Secretary of the Interior and the area director of the BIA... In all other respects, the order is affirmed.

SIMS, J.

We concur: Callahan, J.

Robie, J.

#### **November 26, 2002**

#### C037815 THE PEOPLE v. KING (Not for Publication)

The judgment is modified to award defendant the 525 days credit for actual time served, conduct credit of 262 days, and total credits of 787 days. As modified, the judgment is affirmed. The trial court is directed to amend the abstract to reflect this modification, and to forward a copy of the amended abstract to the Department of Corrections.

MORRISON, J.

We concur: Scotland, P.J.

Sims, J.

#### C038515 THE PEOPLE v. HOLSOME (Not for Publication)

The judgment is modified. Defendant's sentence for spousal rape, count 3, under the habitual offender statute (§ 667.71) and Three Strikes law totals 75 years to life. The trial court is directed to prepare an amended abstract of judgment accordingly and to forward it to the Department of Corrections. As modified, the judgment is affirmed.

MORRISON, J.

We concur: Blease, Acting P.J.

Hull. J.

#### C039814 THE PEOPLE v. CORDOVA (Not for Publication)

The appeal is dismissed.

KOLKEY, J.

We concur: Davis, Acting P.J.

Hull, J.

#### The Minutes

#### November 26, 2002, continued

#### C040788 THE PEOPLE v. RILEY

(Not for Publication)

The judgment is modified to include the imposition of a \$50 fee pursuant to Health and Safety Code section 11372.5, and the imposition of penalty assessments on that fee in the amount of \$85. The trial court is directed to prepare an amended abstract of judgment reflecting the laboratory analysis fee plus penalty assessments and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.

DAVIS, Acting P.J.

I concur: Kolkey, J. I concur in the result:

Raye, J.

#### C035628 VALENZUELA et al. v. MILLARD, et al. (Not for Publication)

Both the order denying plaintiff's motion to amend and the order granting summary judgment are reversed. Plaintiffs shall recover costs on appeal.

RAYE, J.

We concur: Sims, Acting P.J.

Hull, J.

#### C035653 DENNA, as Executor, etc. v. FRADY et al. (Not for Publication)

The judgment is affirmed.

SCOTLAND, P.J.

We concur: Nicholson, J.

Kolkey, J.

## CO37899 EIGENBERG v. SUNSET LAWN CHAPEL OF THE CHIMES et al.

(Not for Publication)

The judgment is affirmed. Costs on appeal are awarded to Skylawn.

NICHOLSON, Acting P.J.

We concur: Callahan, J.

Robie, J.

## C038404 SANCHEZ v. DEPARTMENT OF THE YOUTH AUTHORITY

(Not for Publication)

The judgment is affirmed.

HULL, J.

We concur: Scotland, P.J.

Blease, J.

#### The Minutes

#### November 26, 2002, continued

#### CO39149 HARTWICK v. D.B. FITE PROPERTIES, INC. et al.

(Not for Publication)

The judgment is reversed. Plaintiff shall recover his costs on appeal.

SIMS, Acting P.J.

We concur: Nicholson, J.

Robie, J.

# C039724 ATKINSON, et al. v. STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS (Not for Publication)

The judgment is affirmed.

BLEASE, J.

We concur: Scotland, P.J.

Nicholson, J.

# C041644 THACKER v. SUPERIOR COURT OF PLACER COUNTY and C041816 THACKER-MAYO, et al. (Not for Publication)

The judgment (July 3, 2002, order) is reversed... Jason shall recover his

costs of this proceeding.

BLEASE, Acting P.J.

We concur: Nicholson, J.

ROBIE, J.

#### C038769 In re NICHOLAS D.; THE PEOPLE v. NICHOLAS D.

(Not for Publication)

The juvenile court is directed to correct its minute order in accordance with this opinion and to forward a copy of that corrected order to the Director of the California Youth Authority. The judgment (the order committing the minor to the California Youth Authority) is affirmed.

KOLKEY, J.

We concur: Davis, Acting P.J.

Raye, J.

# C040486 In re ANTHONY M.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. RANDI M. et al. (Not for Publication)

The juvenile court's order is affirmed.

CALLAHAN, J.

We concur: Sims, Acting P.J.

Robie, J.

#### The Minutes

#### November 26, 2002, continued

C041290 In re I.S.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. GLENDA S. (Certified for Partial Publication)

The orders of the juvenile court are affirmed.

(Certified for Partial Publication.)

HULL, J.

We concur: Davis, Acting P.J.

Kolkey, J.

C039773 MEADOWS v. WELCH

BY THE COURT:

Appellant's petition for rehearing is denied.

NICHOLSON, Acting P.J.

#### November 27, 2002

C038226 THE PEOPLE v. SLADARIU (Not for Publication)

The judgment is modified to strike the two-year enhancement under Penal Code section 12022.1. The trial court is directed to amend the abstract of judgment accordingly and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.

HULL, J.

We concur: Nicholson, Acting P.J.

Raye, J.

C038629 THE PEOPLE v. BARBOSA (Not for Publication)

The judgment is affirmed.

HULL, J.

We concur: Blease, Acting P.J.

Robie, J.

C040200 THE PEOPLE v. GIACOMA (Not for Publication)

The judgment is affirmed.

NICHOLSON, J.

We concur: Scotland, P.J.

Blease, J.

C039478 ZISK, as Executor, etc. v. ZISK et al. (Not for Publication)

The order is affirmed.

CALLAHAN, J.

We concur: Blease, Acting P.J.

Hull, J.

### **The Minutes**

November 28, 2002

There were no minutes for this date.

November 29, 2002

There were no minutes for this date.